

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMBER MARIE BRUSE,

Defendant.

CR 20-123-BLG-DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan's Findings and Recommendation Regarding Revocation of Supervised Release. (Doc. 100.) Neither party objected and therefore they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan found, based on Ms. Bruse's admissions at the hearing, that she violated three conditions of her supervised release—commission of a federal, state or local crime (Mandatory Condition 1); possession of a controlled substance

(Mandatory Condition 2); and unauthorized travel outside the District of Montana (Standard Condition 3). (Docs. 100 at 1–2; 78 at 1–2.) Judge Cavan recommends that this Court revoke Ms. Bruse’s supervised release and sentence her to a custodial sentence of 1 year and 1 day imprisonment at FCI Dublin in Dublin, California, followed by a 36-month term of supervised release. (Doc. 100 at 5.) The Court finds no clear error in Judge Cavan’s Findings and Recommendation and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan’s Findings and Recommendation (Doc. 100) is ADOPTED in full. Ms. Bruse shall be sentenced in conformity with Judge Cavan’s recommendation in the judgment filed concurrently with this Order.

DATED this 6th day of September, 2023.



Dana L. Christensen
Dana L. Christensen, District Judge
United States District Court